

**EIGHTY-SEVENTH GENERAL ASSEMBLY
2018 REGULAR SESSION
DAILY
SENATE CLIP SHEET**

March 27, 2018

Clip Sheet Summary

Displays all amendments, fiscal notes, and conference committee reports for previous day.

Bill	Amendment	Action	Sponsor
<u>SF 475</u>	<u>S-5182</u>	Filed	RECEIVED FROM THE HOUSE
<u>SF 2173</u>	<u>S-5187</u>	Adopted	BRAD ZAUN
<u>SF 2347</u>	<u>S-5181</u>	Filed	RECEIVED FROM THE HOUSE
<u>SF 2364</u>	<u>S-5188</u>	Adopted	TIM KRAAYENBRINK
<u>HF 2253</u>	<u>S-5183</u>	Filed	JAKE CHAPMAN
<u>HF 2342</u>	<u>S-5184</u>	Filed	KEVIN KINNEY
<u>HF 2342</u>	<u>S-5185</u>	Filed	KEVIN KINNEY
<u>HF 2342</u>	<u>S-5186</u>	Filed	JULIAN GARRETT

Fiscal Notes

[SF 2394](#) — [Court Fees](#) (LSB6176SV)

HOUSE AMENDMENT TO
SENATE FILE 475

S-5182

1 Amend Senate File 475, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. By striking everything after the enacting clause and
4 inserting:

<DIVISION I

ONLINE EDUCATION

7 Section 1. Section 256.7, subsection 32, paragraph a, Code
8 2018, is amended to read as follows:

9 a. Adopt rules for online learning in accordance with
10 sections ~~256.41~~, 256.42, and 256.43, and criteria for waivers
11 granted pursuant to section 256.42.

12 Sec. 2. Section 256.7, subsection 32, paragraph b, Code
13 2018, is amended by striking the paragraph.

14 Sec. 3. Section 256.7, subsection 32, paragraph c, Code
15 2018, is amended to read as follows:

16 ~~c. Adopt rules that limit the statewide enrollment of~~
17 ~~pupils in educational instruction and course content that are~~
18 ~~delivered primarily over the internet to not more than eighteen~~
19 ~~one-hundredths of one percent of the statewide enrollment of~~
20 ~~all pupils, and that limit the number of pupils participating~~
21 ~~in open enrollment for purposes of receiving educational~~
22 ~~instruction and course content that are delivered primarily~~
23 ~~over the internet to no more than one percent of a sending~~
24 ~~district's enrollment. Such limitations shall not apply if~~
25 ~~the limitations would prevent siblings from enrolling in the~~
26 ~~same school district or if a sending district determines that~~
27 ~~the educational needs of a physically or emotionally fragile~~
28 ~~student would be best served by educational instruction and~~
29 ~~course content that are delivered primarily over the internet.~~
30 ~~Students who meet the requirements of section 282.18 may~~
31 ~~participate in open enrollment under this paragraph "c" for~~
32 ~~purposes of enrolling only in the CAM community school district~~
33 ~~or the Clayton Ridge community school district.~~

34 ~~(1) The department, in collaboration with the international~~
35 ~~association for K-12 online learning, shall annually collect~~

~~1 data on student performance in educational instruction and
2 course content that are delivered primarily over the internet
3 pursuant to this paragraph "c". The department shall include
4 such data in its annual report to the general assembly pursuant
5 to subparagraph (4) and shall post the data on the department's
6 internet site.~~

7 ~~(2)~~ School districts Adopt rules which require that
8 educational instruction and course content delivered primarily
9 over the internet be aligned with the Iowa core standards as
10 applicable. Under such rules, a school district may develop
11 and offer to students enrolled in the district educational
12 instruction and course content for delivery primarily over the
13 internet. A school district providing educational instruction
14 and course content that are delivered primarily over the
15 internet pursuant to this paragraph "c" shall annually submit
16 to the department, in the manner prescribed by the department,
17 data that includes but is not limited to the following:
18 (a) Student achievement and demographic characteristics.
19 (b) Retention rates.
20 (c) The percentage of enrolled students' active
21 participation in extracurricular activities.
22 (d) Academic proficiency levels, consistent with
23 requirements applicable to all school districts and accredited
24 nonpublic schools in this state.
25 (e) Academic growth measures, which shall include either of
26 the following:
27 (i) Entry and exit assessments in, at a minimum, math
28 and English for elementary and middle school students, and
29 additional subjects, including science, for high school
30 students.
31 (ii) State-required assessments that track year-over-year
32 improvements in academic proficiency.
33 (f) Academic mobility. To facilitate the tracking
34 of academic mobility, school districts shall request the
35 following information from the parent or guardian of a student

1 enrolled in educational instruction and course content that
2 are delivered primarily over the internet ~~pursuant to this~~
3 ~~paragraph "c"~~:

4 (i) For a student newly enrolling, the reasons for choosing
5 such enrollment.

6 (ii) For a student terminating enrollment, the reasons for
7 terminating such enrollment.

8 (g) Student progress toward graduation. Measurement of
9 such progress shall account for specific characteristics of
10 each enrolled student, including but not limited to age and
11 course credit accrued prior to enrollment in educational
12 instruction and course content that are delivered primarily
13 over the internet ~~pursuant to this paragraph "c"~~, and shall be
14 consistent with evidence-based best practices.

15 ~~{3} The department shall conduct annually a survey of not~~
16 ~~less than ten percent of the total number of students enrolled~~
17 ~~as authorized under this paragraph "c" and section 282.18, to~~
18 ~~determine whether students are enrolled under this paragraph~~
19 ~~"c" and section 282.18 to receive educational instruction and~~
20 ~~course content primarily over the internet or are students who~~
21 ~~are receiving competent private instruction from a licensed~~
22 ~~practitioner provided through a school district pursuant to~~
23 ~~chapter 299A.~~

24 ~~{4}~~ (2) The department shall compile and review the data
25 collected pursuant to this paragraph "c" and shall submit its
26 findings and recommendations for the continued delivery of
27 educational instruction and course content by school districts
28 ~~pursuant to this paragraph "c"~~ delivered primarily over the
29 internet, in a report to the general assembly by January 15
30 annually.

31 ~~{5} School districts providing educational instruction and~~
32 ~~course content that are delivered primarily over the internet~~
33 ~~pursuant to this paragraph "c" shall comply with the following~~
34 ~~requirements relating to such instruction and content:~~

35 ~~{a} Monitoring and verifying full-time student enrollment,~~

~~1 timely completion of graduation requirements, course credit
2 accrual, and course completion.~~

~~3 (b) Monitoring and verifying student progress and
4 performance in each course through a school-based assessment
5 plan that includes submission of coursework and security and
6 validity of testing.~~

~~7 (c) Conducting parent-teacher conferences.~~

~~8 (d) Administering assessments required by the state to all
9 students in a proctored setting and pursuant to state law.~~

10 Sec. 4. Section 256.9, subsection 56, Code 2018, is amended
11 to read as follows:

12 56. Develop and establish an online learning program
13 model in accordance with rules adopted pursuant to section
14 256.7, subsection 32, ~~paragraph "a",~~ and in accordance with
15 section 256.43. The director shall maintain a list of approved
16 online providers that meet the standards of section 256.42,
17 subsection 6, and provide course content through an online
18 learning platform taught by an Iowa licensed teacher that
19 has specialized training or experience in online learning.
20 Providers shall apply for approval annually or as determined
21 by the department.

22 Sec. 5. Section 256.41, Code 2018, is amended to read as
23 follows:

24 **256.41 Online learning requirements — ~~legislative findings~~**
25 **~~and declarations~~ school districts.**

26 1. ~~The general assembly finds and declares the following:~~

27 ~~a. That prior legislative enactments on the use of
28 telecommunications in elementary and secondary school classes
29 and courses did not contemplate and were not intended to
30 authorize participation in open enrollment under section 282.18
31 for purposes of attending online schools, contracts to provide
32 exclusively or predominantly online coursework to students, or
33 online coursework that does not use teachers licensed under
34 chapter 272 for instruction and supervision.~~

35 ~~b. That online learning technology has moved ahead of Iowa's~~

~~1 statutory framework and the current administrative rules of the~~
~~2 state board, promulgated over twenty years ago, are inadequate~~
~~3 to regulate today's virtual opportunities.~~

4 A school district providing educational instruction and
5 course content delivered primarily over the internet shall
6 do all of the following with regard to such instruction and
7 content:

8 a. Monitor and verify full-time student enrollment, timely
9 completion of graduation requirements, course credit accrual,
10 and course completion.

11 b. Monitor and verify student progress and performance
12 in each course through a school-based assessment plan that
13 includes submission of coursework and security and validity of
14 testing components.

15 c. Conduct parent-teacher conferences.

16 d. Administer assessments required by the state to all
17 students in a proctored setting and pursuant to state law.

18 2. Online learning curricula shall be provided and
19 supervised by a teacher licensed under chapter 272.

20 Sec. 6. Section 256.42, subsection 7, Code 2018, is amended
21 by striking the subsection and inserting in lieu thereof the
22 following:

23 7. a. The provisions of section 256.11, subsection 5, which
24 require that specified subjects be offered and taught by a
25 school district or accredited nonpublic school, shall not apply
26 for up to two specified subjects at a school district or school
27 under this section if any of the following apply:

28 (1) The school district or school makes every reasonable and
29 good faith effort to employ a teacher licensed under chapter
30 272 for the specified subject, and is unable to employ such a
31 teacher.

32 (2) Fewer than ten students typically register for
33 instruction in the specified subject at the school district or
34 school.

35 b. The department may waive for one school year the

1 applicability of section 256.11, subsection 5, at its
2 discretion, to additional specified subjects for a school
3 district or accredited nonpublic school that proves to the
4 satisfaction of the department that the school district or
5 school has made every reasonable effort, but is unable to meet
6 the requirements of section 256.11, subsection 5. A school
7 district or accredited nonpublic school may apply for an annual
8 waiver each year.

9 c. Any specified subject course to which section 256.11,
10 subsection 5, does not apply under paragraph "a" or "b" shall
11 be provided by the initiative if the initiative offers the
12 course unless the course offered by the initiative lacks the
13 capacity to accommodate additional students. In that case,
14 the specified subject course may instead be provided by the
15 school district or accredited nonpublic school through an
16 online learning platform, provided the online learning platform
17 is taught by an Iowa licensed teacher with online learning
18 experience and the course content is aligned with the Iowa
19 content standards and satisfies the requirements of subsection
20 6.

21 d. For purposes of this subsection, "*good faith effort*"
22 means the same as defined in section 279.19A, subsection 9.

23 Sec. 7. Section 256.42, subsection 8, Code 2018, is amended
24 to read as follows:

25 8. The department shall establish fees payable by school
26 districts and accredited nonpublic schools participating in
27 the initiative. Fees collected pursuant to this subsection
28 are appropriated to the department to be used only for the
29 purpose of administering this section and shall be established
30 so as not to exceed the budgeted cost of administering this
31 ~~section to the extent not covered by the moneys appropriated~~
32 ~~in subsection 9.~~ Providing professional development
33 necessary to prepare teachers to participate in the initiative
34 shall be considered a cost of administering this section.
35 Notwithstanding section 8.33, fees collected by the department

1 that remain unencumbered or unobligated at the close of the
2 fiscal year shall not revert but shall remain available for
3 expenditure for the purpose of expanding coursework offered
4 under the initiative in subsequent fiscal years.

5 Sec. 8. Section 256.42, subsection 9, Code 2018, is amended
6 by striking the subsection.

7 Sec. 9. Section 256.43, subsection 1, paragraph i, Code
8 2018, is amended to read as follows:

9 *i.* Criteria for school districts or schools to use when
10 choosing providers of online learning to meet the online
11 learning program requirements specified in rules adopted
12 pursuant to section 256.7, subsection 32, ~~paragraph "a"~~.

13 Sec. 10. Section 256.43, subsection 2, Code 2018, is amended
14 to read as follows:

15 2. *Private providers.* At the discretion of the school board
16 or authorities in charge of an accredited nonpublic school,
17 after consideration of circumstances created by necessity,
18 convenience, and cost-effectiveness, courses developed by
19 private providers may be utilized by the school district or
20 school in implementing a high-quality online learning program.
21 Courses obtained from private providers shall be taught by
22 teachers licensed under chapter 272. A school district may
23 provide courses developed by private providers and delivered
24 primarily over the internet to pupils who are participating in
25 open enrollment under section 282.18. However, if a student's
26 participation in open enrollment to receive educational
27 instruction and course content delivered primarily over the
28 internet results in the termination of enrollment in the
29 receiving district, the receiving district shall, within thirty
30 days of the termination, notify the district of residence of
31 the termination and the date of the termination.

32 Sec. 11. Section 256.43, Code 2018, is amended by adding the
33 following new subsection:

34 NEW SUBSECTION. 5. *Prohibited activities.* A rebate for
35 tuition or fees paid or any other dividend or bonus moneys for

1 enrollment of a child shall not be offered or provided directly
2 or indirectly by a school district, school, or private provider
3 to the parent or guardian of a pupil who enrolls in a school
4 district or school to receive educational instruction and
5 course content delivered primarily over the internet.

6 DIVISION II

7 CONCURRENT ENROLLMENT — CAREER AND TECHNICAL EXCEPTION TO
8 LIMITATION

9 Sec. 12. Section 257.11, subsection 3, Code 2018, is amended
10 by adding the following new paragraph:

11 NEW PARAGRAPH. c. Notwithstanding paragraph "b",
12 subparagraph (1), a school district that otherwise meets the
13 requirements of this subsection may enter into a sharing
14 agreement with a community college under which the community
15 college may offer, or provide a community college-employed
16 instructor to teach, one or more classes in only one of the
17 six career and technical education service areas specified in
18 section 256.11, subsection 5, paragraph "h", and the pupils
19 enrolled in such a class shall be assigned additional weighting
20 in accordance with this subsection if the number of pupils
21 enrolled in such a class exceeds five and the school district's
22 total enrollment does not exceed six hundred pupils.

23 Sec. 13. Section 261E.3, subsection 3, paragraph g, Code
24 2018, is amended to read as follows:

25 g. The school district shall certify annually to the
26 department that the course provided to a high school student
27 for postsecondary credit in accordance with this chapter does
28 not supplant a course provided by the school district in which
29 the student is enrolled, except as provided under section
30 257.11, subsection 3, paragraph "c".

31 DIVISION III

32 STUDENT HEALTH WORKING GROUP

33 Sec. 14. STUDENT HEALTH WORKING GROUP.

34 1. The department of public health and the department
35 of education shall convene a student health working group to

1 review state-initiated student health requirements, including
2 but not limited to requirements relating to dental and vision
3 health screenings under sections 135.17 and 135.39D, blood
4 lead testing under section 135.105D, and immunizations under
5 section 139A.8, and other related requirements imposed on
6 public schools. The working group shall study measures
7 for implementing such student health screening requirements
8 while reducing the administrative burden such requirements
9 impose on public schools. The working group shall develop a
10 uniform enforcement framework that includes a single method
11 for enforcement of the current student health requirements and
12 related data collection.

13 2. Voting members of the working group shall include persons
14 deemed appropriate by the department of public health as well
15 as one representative of each of the following, appointed by
16 the respective entity:

- 17 a. The department of education.
- 18 b. The department of public health.
- 19 c. The area education agencies.
- 20 d. The Iowa academy of family physicians.

21 3. a. The working group shall elect a chairperson and vice
22 chairperson from the voting members appointed.

23 b. A majority of the voting members of the working group
24 shall constitute a quorum.

25 4. The department of public health and the department of
26 education shall work cooperatively to provide staffing and
27 administrative support to the working group.

28 5. The working group shall submit its uniform enforcement
29 framework, findings, and recommendations to the general
30 assembly not later than December 31, 2018.

31 DIVISION IV

32 OPEN ENROLLMENT — EXTRACURRICULAR ACTIVITY FEE

33 Sec. 15. Section 282.18, subsection 7, Code 2018, is amended
34 to read as follows:

35 7. a. A pupil participating in open enrollment shall be

1 counted, for state school foundation aid purposes, in the
2 pupil's district of residence. A pupil's residence, for
3 purposes of this section, means a residence under section
4 282.1.

5 b. (1) The board of directors of the district of residence
6 shall pay to the receiving district the sum of the state cost
7 per pupil for the previous school year plus either the teacher
8 leadership supplement state cost per pupil for the previous
9 fiscal year as provided in section 257.9 or the teacher
10 leadership supplement foundation aid for the previous fiscal
11 year as provided in section 284.13, subsection 1, paragraph "d",
12 if both the district of residence and the receiving district
13 are receiving such supplements, plus any moneys received for
14 the pupil as a result of the non-English speaking weighting
15 under section 280.4, subsection 3, for the previous school
16 year multiplied by the state cost per pupil for the previous
17 year. If the pupil participating in open enrollment is also
18 an eligible pupil under section 261E.6, the receiving district
19 shall pay the tuition reimbursement amount to an eligible
20 postsecondary institution as provided in section 261E.7.

21 (2) If a pupil participates in cocurricular or
22 extracurricular activities in accordance with subsection
23 11A, the district of residence may deduct up to two hundred
24 dollars per activity, for up to two activities, from the amount
25 calculated in subparagraph (1). For a cocurricular activity,
26 one semester shall equal one activity. Extracurricular
27 activities for which such a resident district may charge up
28 to two hundred dollars per activity for up to two activities
29 under this subparagraph include interscholastic athletics,
30 music, drama, and any other activity with a general fund
31 expenditure exceeding five thousand dollars annually. A pupil
32 may participate in additional extracurricular activities at the
33 discretion of the resident district. The school district of
34 residence may charge the pupil a fee for participation in such
35 cocurricular or extracurricular activities equivalent to the

1 fee charged to and paid in the same manner by other resident
2 pupils.

3 Sec. 16. Section 282.18, Code 2018, is amended by adding the
4 following new subsection:

5 NEW SUBSECTION. 11A. A pupil participating in open
6 enrollment for purposes of receiving educational instruction
7 and course content primarily over the internet in accordance
8 with section 256.7, subsection 32, may participate in any
9 cocurricular or extracurricular activities offered to children
10 in the pupil's grade or group and sponsored by the district
11 of residence under the same conditions and requirements
12 as the pupils enrolled in the district of residence. The
13 pupil may participate in not more than two cocurricular or
14 extracurricular activities during a school year unless the
15 resident district approves the student's participation in
16 additional activities. The student shall comply with the
17 eligibility, conduct, and other requirements relating to the
18 activity that are established by the district of residence for
19 any student who applies to participate or who is participating
20 in the activity.

21 DIVISION V

22 DEPARTMENT OF EDUCATION — BILITERACY SEAL

23 Sec. 17. Section 256.9, Code 2018, is amended by adding the
24 following new subsection:

25 NEW SUBSECTION. 60. Develop and administer a seal of
26 biliteracy program to recognize students graduating from
27 high school who have demonstrated proficiency in two or more
28 world languages, one of which may be American sign language,
29 though one of which must be English. Participation in the
30 program by a school district, attendance center, or accredited
31 nonpublic school shall be voluntary. The department shall work
32 with stakeholders to identify standardized tests that may be
33 utilized to demonstrate proficiency. The department shall
34 produce a seal of biliteracy, which may include but need not
35 be limited to a sticker that may be affixed to a student's

1 high school transcript or a certificate that may be awarded to
2 the student. A participating school district or school shall
3 notify the department of the names of the students who have
4 qualified for the seal and the department shall provide the
5 school district or school with the appropriate number of seals
6 or other authorized endorsement. The department may charge a
7 nominal fee to cover printing and postage charges related to
8 issuance of the biliteracy seal under this subsection.

9

DIVISION VI

10

LIMITATION ON DEPARTMENT OF EDUCATION GUIDANCE

11

Sec. 18. NEW SECTION. 256.9A Limitation on guidance and

12

interpretations.

13

1. For the purposes of this section, "*guidance*" means a
14 document or statement issued by the department, the state
15 board, or the director that purports to interpret a law, a
16 rule, or other legal authority and is designed to provide
17 advice or direction to a person regarding the implementation
18 of or compliance with the law, the rule, or the other legal
19 authority being interpreted.

20

2. The department, the state board, or the director shall
21 not issue guidance inconsistent with any statute, rule, or
22 other legal authority and shall not issue guidance that imposes
23 any legally binding obligations or duties upon any person
24 unless such legally binding obligations or duties are required
25 or reasonably implied by any statute, rule, or other legal
26 authority.

27

3. This section shall not apply to a rule adopted pursuant
28 to chapter 17A, a declaratory order issued pursuant to section
29 17A.9, a document or statement required by federal law or a
30 court, or a document or statement issued in the course of a
31 contested case proceeding, an administrative proceeding, or a
32 judicial proceeding to which the department, the state board,
33 or the director is a party.

34

4. Guidance issued by the department, the state board, or
35 the director in violation of subsection 2 shall not be deemed

1 to be legally binding.

2 Sec. 19. EFFECTIVE UPON ENACTMENT. This division of this
3 Act, being deemed of immediate importance, takes effect upon
4 enactment.

5 DIVISION VII

6 FINANCIAL LITERACY

7 Sec. 20. Section 256.11, subsection 5, Code 2018, is amended
8 by adding the following new paragraph:

9 NEW PARAGRAPH. *k.* One-half unit of personal finance
10 literacy. All students shall complete at least one-half unit
11 of personal finance literacy as a condition of graduation. The
12 curriculum shall, at a minimum, address the following:

13 (1) Savings, including emergency fund, purchases, and
14 wealth building.

15 (2) Understanding investments, including compound and
16 simple interest, liquidity, diversification, risk return
17 ratio, certificates of deposit, money market accounts, single
18 stocks, bonds, mutual funds, rental real estate, annuities,
19 commodities, and futures.

20 (3) Wealth building and college planning, including
21 long-term and short-term investing using tax-favored plans,
22 individual retirement accounts and payments from such accounts,
23 employer-sponsored retirement plans and investments, public and
24 private educational savings accounts, and uniform gifts and
25 transfers to minors.

26 (4) Credit and debt, including credit cards, payday
27 lending, rent-to-own transactions, debt consolidation,
28 automobile leasing, cosigning a loan, debt avoidance, and the
29 marketing of debt, especially to young people.

30 (5) Consumer awareness of the power of marketing on buying
31 decisions including zero percent interest offers; marketing
32 methods, including product positioning, advertising, brand
33 recognition, and personal selling; how to read a credit report
34 and correct inaccuracies; how to build a credit score; how to
35 develop a plan to deal with creditors and avoid bankruptcy; and

1 the federal Fair Debt Collection Practices Act.

2 (6) Financial responsibility and money management,
3 including creating and living on a written budget and balancing
4 a checkbook; basic rules of successful negotiating and
5 techniques; and personality or other traits regarding money.

6 (7) Insurance, risk management, income, and career
7 decisions, including career choices that fit personality styles
8 and occupational goals, job search strategies, cover letters,
9 resumes, interview techniques, payroll taxes and other income
10 withholdings, and revenue sources for federal, state, and local
11 governments.

12 (8) Different types of insurance coverage including
13 renters, homeowners, automobile, health, disability, long-term
14 care, identity theft, and life insurance; term life, cash
15 value and whole life insurance; and insurance terms such
16 as deductible, stop loss, elimination period, replacement
17 coverage, liability, and out-of-pocket.

18 (9) Buying, selling, and renting advantages and
19 disadvantages relating to real estate, including adjustable
20 rate, balloon, conventional, government-backed, reverse, and
21 seller-financed mortgages.

22 Sec. 21. EFFECTIVE DATE. This division of this Act takes
23 effect July 1, 2019.>

SENATE FILE 2173

S-5187

1 Amend Senate File 2173 as follows:

2 1. Page 1, line 13, after <154D> by inserting <, or social
3 work, provided that the social worker is licensed pursuant to
4 chapter 147 and section 154C.3, subsection 1, paragraph "c">

5 2. Page 1, line 17, by striking <and psychology> and
6 inserting <psychology, and social work>

7 3. Page 1, line 28, after <154D,> by inserting <social work,
8 provided that the social worker is licensed pursuant to chapter
9 147 and section 154C.3, subsection 1, paragraph "c",>

10 4. Page 2, line 2, by striking <and psychology> and
11 inserting <psychology, and social work>

12 5. Page 2, before line 6 by inserting:

13 <Sec. ____ . EFFECTIVE DATE. This Act, being deemed of
14 immediate importance, takes effect upon enactment.>

15 6. Title page, line 2, after <corporations> by inserting
16 <and including effective date provisions>

By BRAD ZAUN

S-5187 FILED MARCH 26, 2018

ADOPTED

HOUSE AMENDMENT TO
SENATE FILE 2347

S-5181

- 1 Amend Senate File 2347, as passed by the Senate, as follows:
- 2 1. Page 1, line 22, after <liters> by inserting <per
- 3 calendar month>
- 4 2. Page 2, by striking lines 20 through 24 and inserting:
- 5 <2. A person who violates any of the provisions of this
- 6 section commits the following:
- 7 a. For a first offense, a simple misdemeanor.
- 8 b. For a second or subsequent offense, a serious
- 9 misdemeanor.>

S-5181 FILED MARCH 26, 2018

SENATE FILE 2364

S-5188

1 Amend the amendment, S-5179, to Senate File 2364, as
2 amended, passed, and reprinted by the Senate, as follows:
3 1. Page 1, by striking lines 5 through 19 and inserting:
4 <____. Page 1, by striking lines 31 through 33 and inserting
5 <emergency operations plan be conducted in each individual
6 school building in which students are educated. The board and
7 authorities shall determine which school personnel participate
8 in the drill and whether students or local law enforcement
9 agencies participate in the drill. The drill may include but
10 is not limited to a table top exercise, walk-through, partial
11 drill, or full drill. This subsection shall not>>
12 2. By renumbering as necessary.

By TIM KRAAYENBRINK

S-5188 FILED MARCH 26, 2018

ADOPTED

HOUSE FILE 2253

S-5183

1 Amend House File 2253, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 1, by striking lines 13 through 29 and inserting:

4 <3. a. "Public improvement" means a building or
5 construction work which is constructed under the control of
6 a governmental entity and ~~is paid~~ for which either of the
7 following applies:

8 (1) Has been paid for in whole or in part with funds of the
9 governmental entity, ~~including.~~

10 (2) A commitment has been made prior to construction by the
11 governmental entity to pay for the building or construction
12 work in whole or in part with funds of the governmental entity.

13 b. "Public improvement" includes a building or improvement
14 constructed or operated jointly with any other public or
15 private agency, but ~~excluding~~ excludes urban renewal demolition
16 and low-rent housing projects, industrial aid projects
17 authorized under chapter 419, emergency work or repair or
18 maintenance work performed by employees of a governmental
19 entity, and ~~excluding~~ excludes a highway, bridge, or culvert
20 project, and ~~excluding~~ excludes construction or repair or
21 maintenance work performed for a city utility under chapter 388
22 by its employees or performed for a rural water district under
23 chapter 357A by its employees.>

By JAKE CHAPMAN

S-5183 FILED MARCH 26, 2018

HOUSE FILE 2342

S-5184

1 Amend House File 2342, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 1, lines 13 and 14, by striking ~~<of, or direct the~~
4 ~~disposal of,>~~ and inserting ~~<of, or direct the disposal of,>~~

5 2. Page 1, line 21, by striking ~~<commission or disposed of~~
6 ~~and>~~ and inserting ~~<commission, or disposed of, or>~~

7 3. Page 2, line 3, after ~~<481.13A>~~ by inserting ~~<unless~~
8 ~~the property is fish or wildlife that is illegal to possess,~~
9 ~~including fish or wildlife that was taken, possessed, or~~
10 ~~transported unlawfully>~~

11 4. Page 2, line 9, after ~~<seized.>~~ by inserting ~~<However,~~
12 ~~the state shall not return any fish or wildlife that is~~
13 ~~illegal to possess, including fish or wildlife that was taken,~~
14 ~~possessed, or transported unlawfully.>~~

By KEVIN KINNEY

S-5184 FILED MARCH 26, 2018

HOUSE FILE 2342

S-5185

- 1 Amend House File 2342, as amended, passed, and reprinted by
2 the House, as follows:
- 3 1. Page 5, by striking lines 7 through 23 and inserting:
4 <Sec. _____. Section 483A.33, Code 2018, is amended by adding
5 the following new subsection:
6 NEW SUBSECTION. 6. For purposes of this section,
7 "*convicted*" means the same as in section 481A.13A, subsection
8 3.>
9 2. By renumbering as necessary.

By KEVIN KINNEY

S-5185 FILED MARCH 26, 2018

HOUSE FILE 2342

S-5186

- 1 Amend House File 2342, as amended, passed, and reprinted by
2 the House, as follows:
- 3 1. Page 2, line 3, after <481A.13A> by inserting <unless the
4 property is illegal to possess>
- 5 2. Page 2, line 9, after <seized> by inserting <or the
6 property is illegal to possess>
- 7 3. Page 2, line 14, after <property> by inserting <, except
8 for property that is illegal to possess,>

By JULIAN GARRETT

S-5186 FILED MARCH 26, 2018



SF 2394 – Court Fees (LSB6176SV)
Analyst: Laura Book (515.205.9275) laura.book@legis.iowa.gov
Fiscal Note Version – New

Description

[Senate File 2394](#) relates to surcharges added to criminal penalties, court funds, civil fees, misdemeanor and felony fines, and fines associated with scheduled violations.

Division I – Surcharges Added to Criminal Penalties

Description

Division I changes the name of the Criminal Penalty Surcharge to the Crime Services Surcharge and modifies the distribution of the surcharge revenue. Under Division I, the Crime Services Surcharge is distributed as follows: 85.0% is remitted to the State, and the remaining 15.0% to the county treasurer of the county or the city clerk of the city that was the plaintiff in the action. Of the amount remitted to the State, 67.0% is deposited in the Victim Compensation Fund, and 33.0% is deposited in the Criminalistics Laboratory Fund.

Division I combines the surcharges under Iowa Code sections [911.2B¹](#) and [911.2C²](#) into a single surcharge of \$90 per applicable offense. The surcharge is assessed if an adjudication of guilt or deferred judgment has been entered for a violation of Iowa Code section [708.2A](#), [708.11](#), or [710A.2](#) or Iowa Code chapter [709](#), or if a defendant is held in contempt of court for violating a domestic abuse protective order issued pursuant to Iowa Code chapter [236](#).

Division I repeals the Law Enforcement Initiative Surcharge in Iowa Code section [911.3](#).

See Attachments A and B for the distribution of the Criminal Penalty Surcharge under current law and the Proposed Crime Services Surcharge Distribution under SF [2394](#).

Background

Criminal Penalty Surcharge – Iowa Code section 911.1

When the court imposes a fine or forfeiture for a violation of State law or a city or county ordinance, except a parking ordinance, the clerk of court imposes an additional penalty in the form of a Criminal Penalty Surcharge equal to 35.0% of the fine or forfeiture imposed by the Court. This Surcharge does not apply to civil penalties.

Under current law, the Criminal Penalty Surcharge revenue is divided as follows: 95.0% is remitted to the State, and the remaining 5.0% is remitted to the county treasurer of the county or the city clerk of the city that was the plaintiff in the action. Of the amount remitted to the State, 17.0% is deposited in the Victim Compensation Fund, and 83.0% is deposited in the State General Fund. Refer to the Legislative Services Agency (LSA) **Fiscal Topic** [Criminal Fine Revenue and Surcharge Distribution](#) for further information.

¹ Domestic abuse assault, sexual abuse, stalking and human trafficking victim surcharge

² Domestic abuse protective order contempt surcharge

The Victim Compensation Fund is established under Iowa Code section [915.94](#) and the Criminalistics Laboratory Fund is established under Iowa Code section [691.9](#).

Domestic Abuse Surcharges – Iowa Code sections 911.2B and 911.2C

Currently under Iowa Code section [911.2B](#), in addition to any other surcharge, a surcharge of \$100 is assessed if an adjudication of guilt or a deferred judgment has been entered for a violation of Iowa Code section [708.2A](#), [708.11](#), or [710A.2](#), or chapter [709](#). Under Iowa Code section [911.2C](#), a surcharge of \$50 is assessed against a defendant who is held in contempt of court for violating a domestic abuse protective order. The revenue collected from assessment of the [911.2B](#) and [911.2C](#) surcharges is deposited in the Address Confidentiality Revolving Fund established in Iowa Code section [9.8](#).

Law Enforcement Initiative Surcharge – Iowa Code section 911.3

Under current law, in addition to any other surcharge, the court is required to assess a Law Enforcement Initiative Surcharge of \$125 if an adjudication of guilt or a deferred judgment has been entered for a criminal violation under any of the following: Iowa Code chapter [124](#), [155A](#), [453B](#), [713](#), [714](#), [715A](#), or [716](#), or Iowa Code section [719.7](#), [719.8](#), [725.1](#), [725.2](#), or [725.3](#). The collections generated from the assessment of the surcharge are deposited in the State General Fund.

Assumptions

- In FY 2017, the Criminal Penalty Surcharge had a collection rate of 40.0% and the collection rate will remain consistent.
- Deposits to the Victim Compensation Fund will increase by 27.0% under the provisions of this Bill.
- A 9.0% increase in fines assessed for misdemeanors and felonies is revenue neutral to collections to the General Fund from the Law Enforcement Initiative Surcharge under current law.
- A 28.0% increase in fines under the provisions of this Division is revenue neutral to the General Fund fine and surcharge revenue under current law.
- Approximately 55.0% of fine revenue is from non-scheduled fines.
- In FY 2017, \$15.6 million of the Criminal Penalty Surcharge collections was distributed to the State. In FY 2016, \$16.7 million of the Criminal Penalty Surcharge collections was distributed to the State. The Criminal Penalty Surcharge collection levels will remain consistent.
- The average collections and assessments from the following fines and surcharges in FY 2016 and FY 2017 will remain consistent:
 - 911.2B Surcharge: An average of \$229,000 was assessed each fiscal year. The average number of assessments each fiscal year was 2,289.
 - 911.2C Surcharge: An average of \$36,000 was assessed each fiscal year. The average number of assessments each fiscal year was 712.
 - Law Enforcement Initiative Surcharge: An average of \$4.0 million was assessed and an average of \$2.4 million was collected each year.
 - Scheduled and Non-Scheduled Fines: An average of \$80.4 million was assessed and an average of \$68.0 million was collected each year.

Fiscal Impact

Crime Services Surcharge and Law Enforcement Initiative Surcharge

Division I is estimated to be revenue neutral to the General Fund. Under current law, the General Fund portion of the Criminal Penalty Surcharge distribution is approximately 28.0% of the fine. Under Division IV, the scheduled fines are increased by 28.0%. Due to this increase, the collections revenue to the General Fund is estimated to remain revenue neutral as a result. Under Division V, the misdemeanor and felony fines are increased by approximately 37.0%. This is equal to both the General Fund portion of the Criminal Penalty Surcharge and the General Fund revenue from the Law Enforcement Initiative Surcharge.

The increase in fine amounts and the new percentage distribution under Division I of this Bill is estimated to generate a \$730,000 increase in revenue to the Victim Compensation Fund and a \$1.7 million increase in revenue to the Criminalistics Laboratory Fund, and revenue neutral collections for the cities and counties.

For information on the distribution of the proposed fine amounts under the Crime Services Surcharge, see Attachments A and C to this document. Attachments B and D show the distribution under current law.

Domestic Abuse Surcharges

Division I is estimated to be revenue neutral to the Address Confidentiality Revolving Fund. Based on the total average amount assessed and collected from the [911.2B](#) and [911.2C](#) surcharges, the new surcharge of \$90 is estimated to be revenue neutral with collections totaling approximately \$264,000.

Divisions II and III – Court Funds and Civil Fees

Description

Division II increases the allocation to the Court Technology and Modernization Fund from \$1.0 million to \$9.4 million in Iowa Code section [602.8108](#) (Distribution of Court revenue). Division II repeals the Enhanced Court Collections Fund in Iowa Code section [602.1304\(2\)](#). Division II also provides that any unobligated or unencumbered moneys remaining the Enhanced Court Collections Fund at the end of FY 2018 shall be transferred to the Court Technology and Modernization Fund.

Division III amends Iowa Code sections [602.8105](#) and [631.6](#) to increase fees in civil cases by \$20.

Background

Court Technology and Modernization Fund – Iowa Code section 602.8108(9)

Of the fines and fees collected by the Judicial Branch, prior to their deposit in the General Fund, the State Court Administrator is permitted to allocate \$1.0 million to the Court Technology and Modernization Fund. The Fund is used to enhance the ability of the Judicial Branch to process cases quickly and efficiently; to electronically transmit information to State government, local governments, law enforcement agencies, and the public; and to improve public access to the court system.

Enhanced Court Collections Fund – Iowa Code section 602.1304

Currently, a maximum of \$4.0 million generated from the collection of fines, fees, civil penalties, costs, surcharges, and other revenues collected by the Judicial Branch is permitted to be deposited into the Enhanced Court Collections Fund. Refer to the LSA **Budget Unit Brief [Enhanced Court Collections Fund](#)** for further information.

Assumptions

- In FY 2016, approximately \$14.3 million was assessed from the civil fees outlined in Division III. In FY 2017, approximately \$14.4 million was assessed from the civil fees outlined in Division III. The amount of civil fees assessed will remain consistent in future fiscal years.
- On average, 100.0% of civil fees assessed are collected.

Fiscal Impact

Division III is estimated to increase General Fund revenue by approximately \$4.7 million. In addition, the 25.0% allocation from the dissolution of marriage filing fee in section 20 of the Bill intended for sexual assault and domestic violence centers would increase revenue for this purpose by approximately \$189,000.

Division II increases the allocation to the Court Technology and Modernization Fund by \$8.4 million. This amount includes the current \$5.0 million allocation to the Enhanced Court Collection Fund, which is repealed under Division III, and an additional \$4.4 million from civil fee collections. Due to the estimated increase in revenue from civil fees under Division III, the additional \$4.4 million to the Court Technology and Modernization Fund will not have an impact on the General Fund.

Divisions IV and V – Scheduled Violations and Misdemeanor and Felony Fines

Description

Division IV reclassifies some simple misdemeanors as simple misdemeanors punishable as scheduled violations. Division IV raises nearly all of the fines for simple misdemeanors punishable as scheduled violations in Iowa Code sections [805.8A](#) (Motor Vehicle and Transportation), [805.8B](#) (Navigation, recreation, hunting, and fishing), and [805.8C](#) (Miscellaneous schedule violations), by approximately 28.0%.

Division V modifies the minimum and maximum criminal fines for misdemeanors and felonies. For information on the proposed fine amounts and the fine distribution under the proposed Crime Services Surcharge, see the attachments to this document.

Fiscal Impact

Division IV is not estimated to have a fiscal impact.

Division V is estimated to be revenue neutral to the General Fund. The increased fines are estimated to result in revenue neutral collections to the General Fund after modification of the Criminal Penalty Surcharge and the removal of the Law Enforcement Initiative Surcharge. Refer to Division I of this **Fiscal Note** for further analysis of the fiscal impact of increasing the fines and modifying the Criminal Penalty Surcharge.

Summary

Table 1 summarizes the annual fiscal impact of Divisions I, IV, and V.

Table 1 – Divisions I, IV, and V – Crime Services Surcharge and Fine Modifications

Fund	Fiscal Impact
General Fund	\$ 0
Victim Compensation Fund	\$ 730,000
Criminalistics Laboratory Fund	\$ 1,700,000
Address Confidentiality Revolving Fund	\$ 0

Table 2 summarizes the annual fiscal impact of Division II on the Court Technology and Modernization Fund.

Table 2 – Division II – Court Technology and Modernization Fund

Bill Division/Provision	Fiscal Impact
II - Transfer of Enhanced Court Collections Fund to Court Technology Fund	\$ 5,000,000
II - Additional Allocation to Court Technology Fund	\$ 4,400,000
TOTAL	\$ 9,400,000

Table 3 summarizes the annual fiscal impact of Divisions II and III of the Bill on the State General Fund.

Table 3 – Divisions II and III – State General Fund

Bill Division/Provision	Fiscal Impact
III - Civil Fee \$20 Increase	\$ 4,700,000
II - Additional Allocation to Court Technology Fund	(4,400,000)
TOTAL	\$ 300,000

Sources

Judicial Branch
LSA Calculations

/s/ Holly M. Lyons

March 26, 2018

The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

SF 2394 Scheduled Fines — Proposed Crime Services Surcharge Distribution

Current Fine	Fine Adjustment	Proposed Fine	10.0% Crime Services Surcharge	10.0% Surcharge Distribution		State Distribution		Court Costs	Proposed Total Fine
				15.0% to County/City	85.0% to State	67.0% to Victim Comp. Fund	33.0% to Criminalistics Lab Fund		
\$5.00	\$6.40	\$6.00	\$0.60	\$0.09	\$0.51	\$0.34	\$0.17	\$60.00	\$66.60
\$10.00	\$12.80	\$15.00	\$1.50	\$0.23	\$1.28	\$0.85	\$0.42	\$60.00	\$76.50
\$15.00	\$19.20	\$20.00	\$2.00	\$0.30	\$1.70	\$1.14	\$0.56	\$60.00	\$82.00
\$20.00	\$25.60	\$25.00	\$2.50	\$0.38	\$2.13	\$1.42	\$0.70	\$60.00	\$87.50
\$25.00	\$32.00	\$30.00	\$3.00	\$0.45	\$2.55	\$1.71	\$0.84	\$60.00	\$93.00
\$30.00	\$38.40	\$40.00	\$4.00	\$0.60	\$3.40	\$2.28	\$1.12	\$60.00	\$104.00
\$35.00	\$44.80	\$45.00	\$4.50	\$0.68	\$3.83	\$2.56	\$1.26	\$60.00	\$109.50
\$40.00	\$51.20	\$50.00	\$5.00	\$0.75	\$4.25	\$2.85	\$1.40	\$60.00	\$115.00
\$50.00	\$64.00	\$65.00	\$6.50	\$0.98	\$5.53	\$3.70	\$1.82	\$60.00	\$131.50
\$60.00	\$76.80	\$80.00	\$8.00	\$1.20	\$6.80	\$4.56	\$2.24	\$60.00	\$148.00
\$70.00	\$89.60	\$90.00	\$9.00	\$1.35	\$7.65	\$5.13	\$2.52	\$60.00	\$159.00
\$75.00	\$96.00	\$95.00	\$9.50	\$1.43	\$8.08	\$5.41	\$2.66	\$60.00	\$164.50
\$80.00	\$102.40	\$100.00	\$10.00	\$1.50	\$8.50	\$5.70	\$2.81	\$60.00	\$170.00
\$90.00	\$115.20	\$115.00	\$11.50	\$1.73	\$9.78	\$6.55	\$3.23	\$60.00	\$186.50
\$100.00	\$128.00	\$130.00	\$13.00	\$1.95	\$11.05	\$7.40	\$3.65	\$60.00	\$203.00
\$105.00	\$134.40	\$135.00	\$13.50	\$2.03	\$11.48	\$7.69	\$3.79	\$60.00	\$208.50
\$110.00	\$140.80	\$140.00	\$14.00	\$2.10	\$11.90	\$7.97	\$3.93	\$60.00	\$214.00
\$115.00	\$147.20	\$150.00	\$15.00	\$2.25	\$12.75	\$8.54	\$4.21	\$60.00	\$225.00
\$120.00	\$153.60	\$155.00	\$15.50	\$2.33	\$13.18	\$8.83	\$4.35	\$60.00	\$230.50
\$125.00	\$160.00	\$160.00	\$16.00	\$2.40	\$13.60	\$9.11	\$4.49	\$60.00	\$236.00
\$130.00	\$166.40	\$165.00	\$16.50	\$2.48	\$14.03	\$9.40	\$4.63	\$60.00	\$241.50
\$135.00	\$172.80	\$175.00	\$17.50	\$2.63	\$14.88	\$9.97	\$4.91	\$60.00	\$252.50
\$140.00	\$179.20	\$180.00	\$18.00	\$2.70	\$15.30	\$10.25	\$5.05	\$60.00	\$258.00
\$145.00	\$185.60	\$185.00	\$18.50	\$2.78	\$15.73	\$10.54	\$5.19	\$60.00	\$263.50
\$150.00	\$192.00	\$190.00	\$19.00	\$2.85	\$16.15	\$10.82	\$5.33	\$60.00	\$269.00
\$155.00	\$198.40	\$200.00	\$20.00	\$3.00	\$17.00	\$11.39	\$5.61	\$60.00	\$280.00

Note: The fine adjustment is the sum of the current fine and the General Fund portion of the Criminal Penalty Surcharge under current law. The General Fund portion of the Criminal Penalty Surcharge equals approximately 28.0% of the current fine.

SF 2394 Scheduled Fines — Proposed Crime Services Surcharge Distribution

Current Fine	Fine Adjustment	Proposed Fine	10.0% Crime Services Surcharge	10.0% Surcharge Distribution		State Distribution		Court Costs	Proposed Total Fine
				15.0% to County/City	85.0% to State	67.0% to Victim Comp. Fund	33.0% to Criminalistics Lab Fund		
\$160.00	\$204.80	\$205.00	\$20.50	\$3.08	\$17.43	\$11.67	\$5.75	\$60.00	\$285.50
\$165.00	\$211.20	\$210.00	\$21.00	\$3.15	\$17.85	\$11.96	\$5.89	\$60.00	\$291.00
\$170.00	\$217.60	\$220.00	\$22.00	\$3.30	\$18.70	\$12.53	\$6.17	\$60.00	\$302.00
\$175.00	\$224.00	\$225.00	\$22.50	\$3.38	\$19.13	\$12.81	\$6.31	\$60.00	\$307.50
\$180.00	\$230.40	\$230.00	\$23.00	\$3.45	\$19.55	\$13.10	\$6.45	\$60.00	\$313.00
\$185.00	\$236.80	\$240.00	\$24.00	\$3.60	\$20.40	\$13.67	\$6.73	\$60.00	\$324.00
\$190.00	\$243.20	\$245.00	\$24.50	\$3.68	\$20.83	\$13.95	\$6.87	\$60.00	\$329.50
\$195.00	\$249.60	\$250.00	\$25.00	\$3.75	\$21.25	\$14.24	\$7.01	\$60.00	\$335.00
\$200.00	\$256.00	\$255.00	\$25.50	\$3.83	\$21.68	\$14.52	\$7.15	\$60.00	\$340.50
\$205.00	\$262.40	\$260.00	\$26.00	\$3.90	\$22.10	\$14.81	\$7.29	\$60.00	\$346.00
\$210.00	\$268.80	\$270.00	\$27.00	\$4.05	\$22.95	\$15.38	\$7.57	\$60.00	\$357.00
\$215.00	\$275.20	\$275.00	\$27.50	\$4.13	\$23.38	\$15.66	\$7.71	\$60.00	\$362.50
\$220.00	\$281.60	\$280.00	\$28.00	\$4.20	\$23.80	\$15.95	\$7.85	\$60.00	\$368.00
\$225.00	\$288.00	\$290.00	\$29.00	\$4.35	\$24.65	\$16.52	\$8.13	\$60.00	\$379.00
\$230.00	\$294.40	\$295.00	\$29.50	\$4.43	\$25.08	\$16.80	\$8.27	\$60.00	\$384.50
\$235.00	\$300.80	\$300.00	\$30.00	\$4.50	\$25.50	\$17.09	\$8.42	\$60.00	\$390.00
\$240.00	\$307.20	\$310.00	\$31.00	\$4.65	\$26.35	\$17.65	\$8.70	\$60.00	\$401.00
\$245.00	\$313.60	\$315.00	\$31.50	\$4.73	\$26.78	\$17.94	\$8.84	\$60.00	\$406.50
\$250.00	\$320.00	\$320.00	\$32.00	\$4.80	\$27.20	\$18.22	\$8.98	\$60.00	\$412.00
\$300.00	\$384.00	\$385.00	\$38.50	\$5.78	\$32.73	\$21.93	\$10.80	\$60.00	\$483.50
\$500.00	\$640.00	\$640.00	\$64.00	\$9.60	\$54.40	\$36.45	\$17.95	\$60.00	\$764.00
\$1,000.00	\$1,280.00	\$1,280.00	\$128.00	\$19.20	\$108.80	\$72.90	\$35.90	\$60.00	\$1,468.00
\$1,500.00	\$1,920.00	\$1,920.00	\$192.00	\$28.80	\$163.20	\$109.34	\$53.86	\$60.00	\$2,172.00
\$2,000.00	\$2,560.00	\$2,560.00	\$256.00	\$38.40	\$217.60	\$145.79	\$71.81	\$60.00	\$2,876.00

Note: The fine adjustment is the sum of the current fine and the General Fund portion of the Criminal Penalty Surcharge under current law. The General Fund portion of the Criminal Penalty Surcharge equals approximately 28.0% of the current fine.

Current Law — Criminal Penalty Surcharge Distribution

Current Fine	35.0% Criminal Penalty Surcharge	35.0% Surcharge Distribution		State Distribution		Court Costs	Total Fine
		5.0% to County/City	95.0% to State	17.0% to Victim Comp. Fund	83.0% to General Fund		
\$5.00	\$1.75	\$0.09	\$1.66	\$0.28	\$1.38	\$60.00	\$66.75
\$10.00	\$3.50	\$0.18	\$3.33	\$0.57	\$2.76	\$60.00	\$73.50
\$15.00	\$5.25	\$0.26	\$4.99	\$0.85	\$4.14	\$60.00	\$80.25
\$20.00	\$7.00	\$0.35	\$6.65	\$1.13	\$5.52	\$60.00	\$87.00
\$25.00	\$8.75	\$0.44	\$8.31	\$1.41	\$6.90	\$60.00	\$93.75
\$30.00	\$10.50	\$0.53	\$9.98	\$1.70	\$8.28	\$60.00	\$100.50
\$35.00	\$12.25	\$0.61	\$11.64	\$1.98	\$9.66	\$60.00	\$107.25
\$40.00	\$14.00	\$0.70	\$13.30	\$2.26	\$11.04	\$60.00	\$114.00
\$50.00	\$17.50	\$0.88	\$16.63	\$2.83	\$13.80	\$60.00	\$127.50
\$60.00	\$21.00	\$1.05	\$19.95	\$3.39	\$16.56	\$60.00	\$141.00
\$70.00	\$24.50	\$1.23	\$23.28	\$3.96	\$19.32	\$60.00	\$154.50
\$75.00	\$26.25	\$1.31	\$24.94	\$4.24	\$20.70	\$60.00	\$161.25
\$80.00	\$28.00	\$1.40	\$26.60	\$4.52	\$22.08	\$60.00	\$168.00
\$90.00	\$31.50	\$1.58	\$29.93	\$5.09	\$24.84	\$60.00	\$181.50
\$100.00	\$35.00	\$1.75	\$33.25	\$5.65	\$27.60	\$60.00	\$195.00
\$105.00	\$36.75	\$1.84	\$34.91	\$5.94	\$28.98	\$60.00	\$201.75
\$110.00	\$38.50	\$1.93	\$36.58	\$6.22	\$30.36	\$60.00	\$208.50
\$115.00	\$40.25	\$2.01	\$38.24	\$6.50	\$31.74	\$60.00	\$215.25
\$120.00	\$42.00	\$2.10	\$39.90	\$6.78	\$33.12	\$60.00	\$222.00
\$125.00	\$43.75	\$2.19	\$41.56	\$7.07	\$34.50	\$60.00	\$228.75
\$130.00	\$45.50	\$2.28	\$43.23	\$7.35	\$35.88	\$60.00	\$235.50
\$135.00	\$47.25	\$2.36	\$44.89	\$7.63	\$37.26	\$60.00	\$242.25
\$140.00	\$49.00	\$2.45	\$46.55	\$7.91	\$38.64	\$60.00	\$249.00
\$145.00	\$50.75	\$2.54	\$48.21	\$8.20	\$40.02	\$60.00	\$255.75
\$150.00	\$52.50	\$2.63	\$49.88	\$8.48	\$41.40	\$60.00	\$262.50
\$155.00	\$54.25	\$2.71	\$51.54	\$8.76	\$42.78	\$60.00	\$269.25
\$160.00	\$56.00	\$2.80	\$53.20	\$9.04	\$44.16	\$60.00	\$276.00
\$170.00	\$59.50	\$2.98	\$56.53	\$9.61	\$46.92	\$60.00	\$289.50
\$175.00	\$61.25	\$3.06	\$58.19	\$9.89	\$48.30	\$60.00	\$296.25

Current Law — Criminal Penalty Surcharge Distribution

Current Fine	35.0% Criminal Penalty Surcharge	35.0% Surcharge Distribution		State Distribution		Court Costs	Total Fine
		5.0% to County/City	95.0% to State	17.0% to Victim Comp. Fund	83.0% to General Fund		
\$175.00	\$61.25	\$3.06	\$58.19	\$9.89	\$48.30	\$60.00	\$296.25
\$180.00	\$63.00	\$3.15	\$59.85	\$10.17	\$49.68	\$60.00	\$303.00
\$185.00	\$64.75	\$3.24	\$61.51	\$10.46	\$51.06	\$60.00	\$309.75
\$190.00	\$66.50	\$3.33	\$63.18	\$10.74	\$52.44	\$60.00	\$316.50
\$195.00	\$68.25	\$3.41	\$64.84	\$11.02	\$53.82	\$60.00	\$323.25
\$200.00	\$70.00	\$3.50	\$66.50	\$11.31	\$55.20	\$60.00	\$330.00
\$205.00	\$71.75	\$3.59	\$68.16	\$11.59	\$56.57	\$60.00	\$336.75
\$210.00	\$73.50	\$3.68	\$69.83	\$11.87	\$57.95	\$60.00	\$343.50
\$215.00	\$75.25	\$3.76	\$71.49	\$12.15	\$59.33	\$60.00	\$350.25
\$220.00	\$77.00	\$3.85	\$73.15	\$12.44	\$60.71	\$60.00	\$357.00
\$225.00	\$78.75	\$3.94	\$74.81	\$12.72	\$62.09	\$60.00	\$363.75
\$230.00	\$80.50	\$4.03	\$76.48	\$13.00	\$63.47	\$60.00	\$370.50
\$235.00	\$82.25	\$4.11	\$78.14	\$13.28	\$64.85	\$60.00	\$377.25
\$240.00	\$84.00	\$4.20	\$79.80	\$13.57	\$66.23	\$60.00	\$384.00
\$245.00	\$85.75	\$4.29	\$81.46	\$13.85	\$67.61	\$60.00	\$390.75
\$250.00	\$87.50	\$4.38	\$83.13	\$14.13	\$68.99	\$60.00	\$397.50
\$300.00	\$105.00	\$5.25	\$99.75	\$16.96	\$82.79	\$60.00	\$465.00
\$500.00	\$175.00	\$8.75	\$166.25	\$28.26	\$137.99	\$60.00	\$735.00
\$1,000.00	\$350.00	\$17.50	\$332.50	\$56.53	\$275.98	\$60.00	\$1,410.00
\$1,500.00	\$525.00	\$26.25	\$498.75	\$84.79	\$413.96	\$60.00	\$2,085.00
\$2,000.00	\$700.00	\$35.00	\$665.00	\$113.05	\$551.95	\$60.00	\$2,760.00

SF 2394 Misdemeanors and Felonies — Proposed Crime Services Surcharge Distribution

Penalty	Current Fine	Fine Adjustment	Proposed Fine	10.0% Crime Services Surcharge	10.0% Surcharge Distribution		State Distribution		Court Costs	Proposed Total Fine
					15% to County/City	85% to State	67.0% to Victim Comp. Fund	33.0% to Criminalistics Lab Fund		
Simple Misd.	\$65.00	\$88.79	\$90.00	\$9.00	\$1.35	\$7.65	\$5.13	\$2.52	\$60.00	\$159.00
	\$625.00	\$853.73	\$855.00	\$85.50	\$12.83	\$72.68	\$48.69	\$23.98	\$60.00	\$1,000.50
Serious Misd.	\$315.00	\$430.28	\$430.00	\$43.00	\$6.45	\$36.55	\$24.49	\$12.06	\$60.00	\$533.00
	\$1,875.00	\$2,561.20	\$2,560.00	\$256.00	\$38.40	\$217.60	\$145.79	\$71.81	\$60.00	\$2,876.00
Aggr. Misd.	\$625.00	\$853.73	\$855.00	\$85.50	\$12.83	\$72.68	\$48.69	\$23.98	\$60.00	\$1,000.50
	\$6,250.00	\$8,537.34	\$8,540.00	\$854.00	\$128.10	\$725.90	\$486.35	\$239.55	\$60.00	\$9,454.00
D Felony	\$750.00	\$1,024.48	\$1,025.00	\$102.50	\$15.38	\$87.13	\$58.37	\$28.75	\$60.00	\$1,187.50
	\$7,500.00	\$10,244.81	\$10,245.00	\$1,024.50	\$153.68	\$870.83	\$583.45	\$287.37	\$60.00	\$11,329.50
C Felony	\$1,000.00	\$1,365.98	\$1,370.00	\$137.00	\$20.55	\$116.45	\$78.02	\$38.43	\$60.00	\$1,567.00
	\$10,000.00	\$13,659.75	\$13,660.00	\$1,366.00	\$204.90	\$1,161.10	\$777.94	\$383.16	\$60.00	\$15,086.00

Notes:

- 1) The fine adjustment is the sum of the current fine, the General Fund portion of the Criminal Penalty Surcharge under current law, and the Law Enforcement Initiative Surcharge Adjustment.
- 2) The adjustment for the removal of the Law Enforcement Initiative Surcharge equals approximately 9.0% of the current fine.

Current Law — Criminal Penalty Surcharge Distribution

Penalty	Current Fine (Min. and Max.)	35.0% Criminal Penalty Surcharge	35.0% Surcharge Distribution		State Distribution		Court Costs	Total Fine
			5.0% to County/City	95.0% to State	17.0% to Victim Comp. Fund	83.0% to General Fund		
Simple Misd.	\$65.00	\$22.75	\$1.14	\$21.61	\$3.67	\$17.94	\$60.00	\$147.75
	\$625.00	\$218.75	\$10.94	\$207.81	\$35.33	\$172.48	\$60.00	\$903.75
Serious Misd.	\$315.00	\$110.25	\$5.51	\$104.74	\$17.81	\$86.93	\$60.00	\$485.25
	\$1,875.00	\$656.25	\$32.81	\$623.44	\$105.98	\$517.45	\$60.00	\$2,591.25
Aggr. Misd.	\$625.00	\$218.75	\$10.94	\$207.81	\$35.33	\$172.48	\$60.00	\$903.75
	\$6,250.00	\$2,187.50	\$109.38	\$2,078.13	\$353.28	\$1,724.84	\$60.00	\$8,497.50
Class D Felony	\$750.00	\$262.50	\$13.13	\$249.38	\$42.39	\$206.98	\$60.00	\$1,072.50
	\$7,500.00	\$2,625.00	\$131.25	\$2,493.75	\$423.94	\$2,069.81	\$60.00	\$10,185.00
Class C Felony	\$1,000.00	\$350.00	\$17.50	\$332.50	\$56.53	\$275.98	\$60.00	\$1,410.00
	\$10,000.00	\$3,500.00	\$175.00	\$3,325.00	\$565.25	\$2,759.75	\$60.00	\$13,560.00